

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:21CR252
)	
vs.)	
)	
NICKILOS L. MCCARGAR,)	ORDER
)	
Defendant.)	

This matter is before the court on the Unopposed Motion to Continue Trial [27]. The court had a telephone conference with the attorneys on January 27, 2023. Based on defendant's motion, and the information provided in the telephone conference, the undersigned magistrate judge finds good cause for the requested continuance in order to allow the defendant sufficient time to conclude plea negotiations. Accordingly,

IT IS ORDERED that the Motion to Continue Trial [27] is granted, as follows:

1. The jury trial now set for January 30, 2023, is continued to **April 3, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and April 3, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. **No further continuances will be granted without a hearing before the undersigned magistrate judge.**

DATED: January 27, 2023.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge

